

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

WP(C).No. 31852 of 2006(P)

PETITIONER:

THE MANGER, SAHODARAN AYYAPPAN
MEMORIAL TRAINING COLLEGE, POOTHOTTA,
ERNAKULAM DISTRICT.

BY ADV. SRI.N.N.SUGUNAPALAN (SR.)
SRI.S.SUJIN

RESPONDENTS:

1. THE PRINCIPAL SECRETARY,
HIGHER EDUCATION DEPARTMENT, GOVERNMENT OF
KERALA, GOVT.SECRETARIAT, THIRUVANANTHAPURAM.
2. THE REGISTRAR, MAHATMA GANDHI
UNIVERSITY, ATHIRAMPUZHA, KOTTAYAM.
3. THE REGIONAL DIRECTOR,
NATIONAL COUNCIL FOR TEACHER EDUCATION,
SOUTHERN REGIONAL COMMITTEE, 1ST FLOOR,
CSD BUILDING, HMT POST, BANGALORE-560 031.
4. STATE OF KERALA, REPRESENTED BY THE
CHIEF SECRETARY TO GOVERNMENT, GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.

BY ADV. SRI.V.M.KURIAN, SC, SRC-NCTE
BY GOVT. PLEADER SRI.BENJAMIN PAUL
BY STANDING COUNSEL SRI.V.A.MUHAMMED.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 12/04/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX (WP(C) NO.31852 OF 2006)

PETITIONER'S EXHIBITS:

- Ext.P1: Copy of the application dtd.27.1.04 with its enclosures submitted by the petitioner to R3.
- Ext.P2: Copy of the letter dtd.13.2.04 sent by R1 to the petitioner.
- Ext.P3: Copy of the representation dtd.4.4.05 submitted by the petitioner to R1.
- Ext.P4: Copy of the letter dtd.29.12.2004 sent by R3 to the petitioner.
- Ext.P5: Copy of the reply dtd.4.4.05 submitted by the petitioner to R3.
- Ext.P6: Copy of the judgment of the Hon'ble Supreme Court reported in (2003) 3 SCC 321.
- Ext.P7: Copy of the representation dtd.2.2.2006 submitted by the petitioner to the Hon'ble Minister for Education.
- Ext.P8: Copy of the representation dtd.28.4.2006 submitted by the petitioner before R1.
- Ext.P9: Copy of the letter dtd.21.6.06 sent by R3 to the petitioner.
- Ext.P10: Copy of the reply dtd.4.8.06 submitted by the petitioner to R3.
- Ext.P11: Copy of the letter dtd.6.11.06 submitted by R3 to the first respondent.

-True Copy-

P.A.to Judge.

S. SIRI JAGAN, J.

WP(C) NO. 31852 OF 2006 P

Dated this the 12th day of April, 2007

J U D G M E N T

The petitioner runs a Training College. He wants to start a new course B.Ed (I.T.). The petitioner filed application before the third respondent for approval for starting the course. But, for the same, the third respondent wanted the recognition from the State Government for which they address the first respondent by Ext.P11. Ext.P11 is dated 6.11.2006. Since the first respondent did not respond to Ext.P11, the third respondent did not consider the petitioner's application. The petitioner now seeks only a direction to the first respondent to respond to Ext.P11 within a time frame.

2. I have heard the learned counsel for the petitioner, the learned Government Pleader for the first and fourth respondents, the learned Standing Counsel for the third respondent and the learned Standing Counsel for the second respondent-University.

3. I think that when, in matters relating to education, the N.C.T.E. (National Council for Teacher Education) addresses the Government, the Government has a duty to respond to the same without undue delay. Now, more than six months have gone by from the date of Ext.P11. As such, I am satisfied that the first respondent is liable to be commended to Ext.P11 urgently.

4. Accordingly, I direct the first respondent to respond to Ext.P11 within a period of two weeks from the date of receipt of a copy of this judgment. If the third respondent does not get a reply to Ext.P11 within one month, the third respondent shall process the application of the petitioner without waiting further for any reply to Ext.P11.

The writ petition is disposed of with the above direction.

Mbs/

**S. SIRI JAGAN,
Judge**

WP(C) NO.31852 of 2006

:-3:-

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

WP(C) NO.31852 of 2006

:-4:-

J U D G M E N T

DATED:13-02-2007

WP(C) NO.31852 of 2006

:-5:-